

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSEPH DUNBAR,

Plaintiff,

v.

Case No. 2:15-cv-11573
Hon. Denise Page Hood

DANIEL HEYNS, ET AL.,

Defendants.

OPINION AND ORDER OF DISMISSAL WITHOUT PREJUDICE

This is a civil action in which Plaintiff seeks relief under 28 U.S.C. § 2241, 28 U.S.C. § 1915, and 42 U.S.C. §§ 1981, 1983, and 1985. Plaintiff Joseph Dunbar, who is incarcerated at the Richard A. Handlon Correctional Facility, asserts in his pro se complaint that he is entitled to his immediate release and \$3,000,000 in damages. The complaint appears to allege that: 1) the Michigan Department of Corrections (“MDOC”) believes that Petitioner is serving a 40-to-60 year sentence where his true sentence is 20-to-40 years; 2) Plaintiff is in imminent danger because he is innocent; 3) MDOC Officials intentionally injected Hepatitis C into Plaintiff; 4) MDOC Officials placed a dangerous prisoner in his cell to attack him; 5) Plaintiff is not receiving any medical treatment; 6) MDOC Officials have threatened to “shoot him

up with medicine to shut him up;” 7) Plaintiff is being threatened by other inmates; and 8) MDOC Officials are not processing his grievances.

On May 6, 2015, the Court issued two Orders to Correct Deficiency [Dkt. Nos. 4 and 5] because Plaintiff failed to submit the filing fee or an application to proceed without prepaying fees or costs, and because he failed to file a sufficient number of copies of his complaint to serve on all twenty-one Defendants. The Court required Plaintiff to correct the deficiencies within 30 days. The Court cautioned Plaintiff that if he failed to correct the filing deficiencies, then the complaint would be subject to dismissal for want of prosecution. Plaintiff filed an insufficient and incomplete application to proceed without prepaying fees or costs. [Dkt. No. 7]. The filing does not include an authorization to withdraw funds from his prison trust fund account, nor does it does contain a certified account statement. Plaintiff has also not filed the additional copies of his complaint required for service. The time for correcting the deficiencies have long since elapsed.

Accordingly,

IT IS ORDERED that Plaintiff's complaint [Dkt. No. 1] is DISMISSED WITHOUT PREJUDICE for want of prosecution.

IT IS FURTHER ORDERED that the Motion for Order to Have Clerk Copy By Complaint for Service by the US Marshal [Dkt. No. 6] is DENIED as MOOT.

IT IS FURTHER ORDERED that the Motion /Request for Transfer to Federal Prison or Correctional Facility [Dkt. No. 9, 11] is DENIED as Moot.

S/Denise Page Hood

Denise Page Hood

United States District Judge

Dated: October 8, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 8, 2015, by electronic and/or ordinary mail.

S/LaShawn Saulsberry

Case Manager